S.B.CRIMINAL MISC. BAIL APPLICATION NO.4423/2007
(Rajendra Singh vs. State of Rajasthan)

DATE OF ORDER : September 18, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Usman Ghani, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary. I have also gone through the statements of the witnesses, more particularly the witnesses Jitendra Vinayak and Nitin Somani. From perusal of the statements of these two witnesses, it appears that the petitioner is an employee of Rolex Processor and in-charge of processing house. It also appears that manufacturing of the cloth is by one Baveer Singh, in-charge of Shivam Suitings Private Ltd. and after having been manufactured the spurious cloth, it used to be sent for processing. In the circumstances, therefore, the allegation of manufacturing the cloth is against Balveer Singh, in-charge of Shivam Suitings Private Ltd. and the case of the present petitioner is distinguishable from that of Balveer Singh.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by learned counsel for the parties, I consider it just and proper to grant

anticipatory bail to the petitioner.

Accordingly, the bail application filed by petitioner under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Rajendra Singh s/o Prabhu Singh Rathore in FIR No.367/2007, Police Station, Pratap Nagar, Bhilwara, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-